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**DATE:** February 1, 2004

**TO:** Senator Alan L. Cropsey, Chair  
*Senate Appropriations Subcommittee on Corrections*  
Representative Mike Pumford, Chair  
*House Appropriations Subcommittee on Corrections*

**FROM:** Patricia L. Caruso, Director

**SUBJECT:** Prison Population Projections

*Section 401 of 2003 P.A. 154* requires the Department of Corrections to submit three and five year prison population projections on an annual basis. As you know, the last set of projections was issued in August of 2003. At the end of Calendar Year 2003, those projections were 99.8% accurate - 114 higher than the actual prison population. Obviously, with a prison population of 48,887, this level of accuracy is difficult to improve upon, but this slight over-projection and full-year 2003 prison use trends suggest that we can slow the projected population growth down somewhat in a revised forecast (See attached Prison Population Projection Report).

For the male prison population, the revised projections indicate that continued benefits gained from the first two phases of our ongoing *Five Year Plan to Control Prison Growth* (especially the *Michigan Prisoner ReEntry Initiative* that is a major component of the *Plan*) will enable planned capacity to keep pace with population through August of 2005. This represents an extension of the "run-out-of-prison-beds" date of about seven months compared to our estimate in the August 2003 forecast. However, even with this extension, the Department is projecting the need to open the two "mothballed" prisons held in reserve for male prisoners – the 1,008 bed Michigan Reformatory (RMI) and the 489 bed State Prison of Southern Michigan Institution (SMI) – in early FY 2006.

Pushing the re-opening of the two mothballed prisons or other emergency measures even farther into the future will depend on the success of initiatives called for under the third phase of the *Five Year Plan*.

For the female prison population, the revised projections indicate that a new community-based Half Way House instituted by the Department under the *Prisoner ReEntry Initiative* for female parolees has the potential to keep the female prison population within existing capacity through mid-FY 2006. The Half Way House, called the *Female In Transition Program* begins with a Release Preparation Phase for inmates and then provides a six-month transition stage from prison to the community developed by

a joint committee of MDOC prison, parole board and parole supervision authorities and Wayne County service providers. Nearly 70 women who would not otherwise have been paroled have been granted paroles to the Half Way House and are undergoing Phase I Release Preparation in prison before expected release to the program in late February, 2004.

Other promising 2003 corrections trends that stem directly from the first two phases of the *Five Year Plan* and the *Prisoner ReEntry Initiative* include:

- **Controlling Intake of Technical Parole Violators:** Contributing to a prison population decline in 2003 was a 34% drop in the number of technical parole violators returned to prison (1,115 fewer), due to the Department's continuing efforts under the *Five Year Plan* to utilize community-based sanctions, control and treatment options for more of these violators. This was achieved even while the parole population grew to a new record (17,449).
- **Improved Parole Practices under the Michigan Prisoner ReEntry Initiative:** Another factor contributing to the prison population decline was a 10% increase in moves to parole (1,036 more, to a total of 11,733 for the year), resulting from both a 2% increase in the number of parole decisions and a 3% increase in the parole approval rate (mostly for drug and other nonviolent offenders).
- **Controlling Admissions through the Expanded Use of Community Corrections and Probation Programs:** Prison intake in 2003 was down over 6% from the previous year (738 fewer inmates), due to continuing collaborative efforts between the Department and local justice officials, under the *Five Year Plan*, to use community corrections options as much as possible. The largest decrease was among probation violator commitments to prison (-525).

Offsetting these positive 2003 corrections trends to some degree was a 50% decline (975 fewer) in the number of prisoners transferred to community corrections centers and electronic monitoring under the Community Residential Program (CRP). The CRP population itself fell from 1,132 to 470 in 2003. The CRP decline resulted from the Truth in Sentencing law that requires affected inmates to serve their entire minimum sentences in secure institutions or camps. In anticipation of this, the Department expanded CRP from a pre-parole program to a post-ERD (Earliest Release Date) program, as part of the second phase of the *Five Year Plan*.

Only inmates serving sentences for nonviolent crimes are eligible for the expanded CRP program, and only when the Parole Board concurs in CRP placement prior to the next parole hearing. The program objective is to get eligible offenders re-established in the community in a highly structured setting, providing a proving ground for the Parole Board to use in assessing the offender's behavior at the time of the next parole decision. This program expansion stabilized the declining CRP population late in 2003, but at a lower level (470 at the end of the year) than originally estimated (1,025), and further drops will likely occur in the future as the Truth in Sentencing law eventually covers all prisoners, thereby totally eliminating pre-parole CRP eligibility.

**As a result of the positive factors, slightly offset by the slower than expected growth of the new CRP, the prison population declined in 2003 for the year as a whole for the first time since 1983. The decline of 572 inmates, or 1.2%, was the largest drop in a single year since 1973.**

Since the impact of the first two phases of the *Five Year Plan* is not likely to sustain the 2003 corrections trends indefinitely, prison population growth is expected to resume at a moderate pace

later this year and beyond. But the initiatives called for in the third phase of the *Five Year Plan* can extend available prison beds into 2006 if they proceed in a timely fashion.

The third phase of the *Five Year Plan* began in May 2003 when I called together a Sentencing Guidelines Work Group to discuss options to revise the Guidelines so that the run out date for male prison beds would be delayed until 2006. The work group consists of MDOC staff, the Prosecuting Attorney's Association of Michigan (PAAM), the Michigan Sheriffs Association (MSA) and, most recently, the Michigan Association of Counties (MAC). All Work Group members continue to review options that may be considered for submission to the Legislature early in the budget process. Details on these options will be forthcoming in the next few weeks.

On another front, the *Michigan Prisoner ReEntry Initiative* officially got underway with the first meeting of the Advisory Council in October of 2003. This initiative is an interdepartmental collaborative partnership between the Department of Corrections, the Department of Community Health, the Family Independence Agency, and the Department of Labor and Economic Growth, including both the Employment Service Agency and the Michigan State Housing Development Authority. These state agencies, with technical assistance and support from the National Institute of Corrections and the National Governor's Association, have formed a unique partnership with local service providers to attack the high recidivism rates of Michigan's parole population while increasing the likelihood of successful parole for nonviolent inmates.

Obviously, in the near future, you will be getting much more specific information about the third phase initiatives of the *Five Year Plan* and the *Prisoner ReEntry Initiative*, as we continue to develop these strategies. We will monitor the accuracy of the attached projections, and we eagerly anticipate working with you to keep the prison system's demands on the State budget under control while ensuring protection of the public at the same time. Working together, we can keep prison population within planned capacity through 2006 and beyond.

#### Attachments

c: Mary A. Lannoye, Office of the State Budget  
Jacques McNeely, Office of Public Protection, DMB  
Marilyn Peterson, House Fiscal Agency  
Bethany Wicksall, Senate Fiscal Agency  
MDOC Executive Policy Team